

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SUITS – Land Acquisition –PJP – GADWAL - Mahabubnagar District – Narva (M) Erladinne (V) – O.P.No.67/2004 – Sanction of decretal charges of Rs.1,86,36,489/- - Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A2) DEPARTMENT

G.O.RT.NO. 916

DATE:27.12.2008

Read:

From the Spl.CS to Govt & CCLA, AP, Hyd.Lr. No.SRP4/989/08,dt:29.09.08
alongwith the letter of Spl.Collector, LA, Bheema Project, Mahabubnagar.

ORDER:

The Special Chief Secretary to Government and Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has informed that the Special Collector, LA, Bheema Project, Mahabubnagar District has submitted the proposals for sanction of final payment of decretal charges in respect of O.P.No.67/2004 pertaining to Erladinne (V) Narva (M) of Mahabubnagar District. The then SDC, LA, PJP, Gadwal had acquired the dry lands in H.Nos.2/1, 2/75-13 etc for the structures and open area Erladinne (V) by fixing the Market value @Rs.120/- per sq.meter through Award No.19/92, dt:17.09.02 for submergence. Aggrieved with the market value awarded by the LAO, the awardees have filed petitions u/s 18(1) of the L.A.Act for adjudication. The Sr.Civil Judge, Gadwal in its orders dt:22.03.2006 had delivered judgments by enhancing the market value from 1+1 structure value for houses in O.P.No.67/2004 and batch 264 cases. The Special Deputy Collector, LA, PJP, Gadwal has filed appeal in the Hon'ble High Court of A.P, Hyderabad against the orders of the Lower Court. The High Court of A.P has granted interim stay orders on condition to pay 50% of the decretal amount. Accordingly, an amount of Rs.1,56,98,812/- was sanctioned and deposited in the Sr.Civil Judge Court, Gadwal. Finally, the High Court has dismissed the appeals filed by the SDC, LA, PJP, Gadwal by confirming the judgments of Lower Court. In the meanwhile the claimants have filed C.C.No.1583/2008 in W.P.No.27827/07, dt:30.11.2008.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.1,86,36,489/- (Rupees One crore eighty six lakhs thirty six thousand four hundred and eighty nine only)** in respect of O.P.No.67/2004 pertaining to Erladinne (V) Narva (M) of Mahabubnagar District subject to verification whether the reference under section 18 (1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Sec.18 reference was made contrary to the rules/guidelines issued by the Govt/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

3) The expenditure sanctioned in para (2) above shall be debitable to following Head of Account under "4701-SMJH -01-Major Irrigation -M.H.122 Jurala Project G.H.11 – NSP- SH (26) – Dams and Appurtenant works - 530 Major Works – 532 Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of re-appropriation.

(P.T.O.)

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4) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O. No.7991/LSP/2008-1, dated 01.12.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS
SECRETARY TO GOVERNMENT

To

The Spl. Chief Secretary to Government & CCLA, A.P., Hyderabad.

The Special Collector, LA,Bheema Project, Mahabubnagar.

The Chief Engineer, MBNR, Jalasoudha Buildings, Erramanzil, Hyderabad.

The SDC, LA, PJP, Gadwal, Mahabubnagar.

The Director of Works Accounts, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No. 27760/LA-III(A2)/2008.

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER